

**UNITED STATE DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

MICHELE A. JOSEPH

Plaintiff,

VS.

SHIV PARTNERS, LTD.

Defendant.

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CASE NO. 17-cv-00323-SS

**DEFENDANT SHIV PARTNERS, LTD.'S
ORIGINAL ANSWER TO PLAINTIFF'S ORIGINAL COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Defendant SHIV PARTNERS, LTD. ("Defendant") and file this its Original Answer to Plaintiffs' Original Complaint ("Complaint") in the above-styled case, and respectfully allege, state, and would show the Court as follows:

DEFENDANT'S RESPONSES TO PLAINTIFF'S ALLEGATIONS

Defendant's responses to Plaintiff's allegations refer to the sections and paragraphs so numbered in the Complaint.

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 1 of the Complaint.

2. Defendant admits the allegations contained within paragraph 2 of the Complaint.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 3 of the Complaint.

4. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 4 of the Complaint.

5. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 5 of the Complaint.

6. Paragraph 6 of the Complaint contains legal citation and does not require admission or denial.

7. Paragraph 7 (a) – (e) of the Complaint contains legal citation and does not require admission or denial.

8. Paragraph 8 (a) – (c) of the Complaint contains legal citation and does not require admission or denial.

9. Paragraph 9 of the Complaint contains legal citation and does not require admission or denial.

10. Paragraph 10 of the Complaint contains legal citation and does not require admission or denial.

11. Defendant admits that Plaintiff was a guest of Defendant's hotel on November 18, 2016. Otherwise, Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 11 of the Complaint.

12. Defendant denies the allegations contained within paragraph 12 of the Complaint.

13. Defendant admits that it owns and/or operates La Quinta Inn Austin North, which is located at 7622 IH 35 North, Austin, TX 78752. Otherwise, Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 13 of the Complaint.

14. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 14 of the Complaint.

15. Defendant denies the allegations contained within paragraph 15 of the Complaint.

16. Defendant denies the allegations contained within paragraph 16 of the Complaint.

A. Defendant denies the allegations contained within paragraph 16 A. of the Complaint.

B. Defendant denies the allegations contained within paragraph 16 B. of the Complaint.

C. Defendant denies the allegations contained within paragraph 16 C. of the Complaint.

D. Defendant denies the allegations contained within paragraph 16 D. of the Complaint.

E. Defendant denies the allegations contained within paragraph 16 E. of the Complaint.

F. Defendant denies the allegations contained within paragraph 16 F. of the Complaint.

G. Defendant denies the allegations contained within paragraph 16 G. of the Complaint.

H. Defendant denies the allegations contained within paragraph 16 H. of the Complaint.

I. Defendant denies the allegations contained within paragraph 16 I. of the Complaint.

J. Defendant denies the allegations contained within paragraph 16 J. of the Complaint.

K. Defendant denies the allegations contained within paragraph 16 K. of the Complaint.

L. Defendant denies the allegations contained within paragraph 16 L. of the Complaint.

M. Defendant denies the allegations contained within paragraph 16 M. of the Complaint.

N. Defendant denies the allegations contained within paragraph 16 N. of the Complaint.

O. Defendant denies the allegations contained within paragraph 16 O. of the Complaint.

P. Defendant denies the allegations contained within paragraph 16 P. of the Complaint.

Q. Defendant denies the allegations contained within paragraph 16 Q. of the Complaint.

R. Defendant denies the allegations contained within paragraph 16 R. of the Complaint.

S. Defendant denies the allegations contained within paragraph 16 S. of the Complaint.

T. Defendant denies the allegations contained within paragraph 16 T. of the Complaint.

U. Defendant denies the allegations contained within paragraph 16 U. of the Complaint.

V. Defendant denies the allegations contained within paragraph 16 V. of the Complaint.

W. Defendant denies the allegations contained within paragraph 16 W. of the Complaint.

X. Defendant denies the allegations contained within paragraph 16 X. of the Complaint.

Y. Defendant denies the allegations contained within paragraph 16 Y. of the Complaint.

Z. Defendant denies the allegations contained within paragraph 16 Z. of the Complaint.

AA. Defendant denies the allegations contained within paragraph 16 AA. of the Complaint.

BB. Defendant denies the allegations contained within paragraph 16 BB. of the Complaint.

CC. Defendant denies the allegations contained within paragraph 16 CC. of the Complaint.

17. Defendant denies the allegations contained within paragraph 17 of the Complaint.

18. Defendant denies the allegations contained within paragraph 18 of the Complaint.

19. Defendant denies the allegations contained within paragraph 19 of the Complaint.

20. Defendant denies the allegations contained within paragraph 20 of the Complaint.

21. Defendant denies the allegations contained within paragraph 21 of the Complaint.

22. Paragraph 22 of the Complaint contains legal citation and does not require admission or denial.

23. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 23 of the Complaint.

24. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 24 of the Complaint.

25. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained within paragraph 25 of the Complaint.

26. Paragraph 26 of the Complaint contains legal citation and does not require admission or denial.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that Plaintiff takes nothing in the above-entitled action, and for all other relief, in law or in equity, to which Defendant is justly entitled.

Respectfully submitted,

By: /s/ R. Spencer Shytles
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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following counsel was served with the foregoing on the 25th day of May, 2017.

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